

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

DARBELIO LORENZO-GENCHI,

Defendants.

8:21CR284

ORDER

This matter is before the court on the request of the government made at the Initial Appearance on November 19, 2021 to declare this case as complex and to adjust the discovery and pretrial motions deadline. The defendant agreed to the request. The court finds from the representations by counsel for the parties that this case is so unusual and so complex due to the nature of the prosecution, the existence of novel questions of fact and law, and the amount of discovery, it would be unreasonable to expect adequate preparation for pretrial proceedings or for the trial within the time limits established by the Speedy Trial Act. See 18 U.S.C. § 3161(h)(7)(B)(ii). Accordingly,

IT IS ORDERED:

1. The government's unopposed oral motion to designate this case as complex is granted.
2. The government shall provide Rule 16 discovery to the defendant on or before December 7, 2021.
3. The defendant shall file pretrial motions on or before January 4, 2022.
4. The additional time arising as a result of the granting of the motion, i.e., the time between today's date and January 4, 2022, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason that the government requires additional time to adequately prepare the case and provide discovery materials, taking into consideration the number of defendants, due diligence of

counsel, and the novelty and complexity of this case. It is unreasonable to otherwise expect the parties to be adequately prepared for pretrial proceedings or trial and the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B)(ii).

Dated this 19th day of November, 2021.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge